

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MALCOM D. SMITHSON and CHRISTINE B.
SMITHSON TRUSTS, *et al.*,

Plaintiffs,

v.

Civ. No. 06-00624 MCA/RLP

AMERADA HESS CORPORATION n/k/a
HESS CORPORATION,

Defendant.

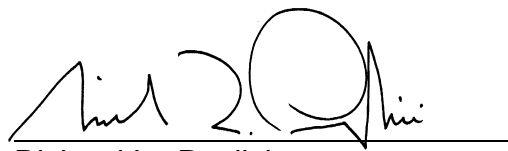
MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on Plaintiffs' Motion to Compel No. 1. Plaintiffs argue that Defendant failed to produce documents it agreed to produce and also objection to certain requests on the ground of relevance. In its Response, Defendant assures the Court it has now produced the documents it agreed to produce, so that those documents are no longer at issue.

Plaintiffs served their discovery on May 14, 2007. Defendant served its responses on June 21, 2007. The Motion to Compel was not filed until January 18, 2008. Pursuant to D.N.M.LR Civ. 26.6, a party has 20 days in which to file a motion to compel after the responses are served or objections are waived. The Motion is more than six months late.

IT IS THEREFORE ORDERED that Plaintiffs' Motion to Compel No. 1 [Doc. 78] is denied.

IT IS SO ORDERED.



Richard L. Puglisi
United States Magistrate Judge